

APACHE BUSINESS COMMITTEE
Louis Maymahanah - Chairman
Vacant - Vice Chairman
Marquita Carattini - Secretary/Treasurer
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Apache Tribe of Oklahoma

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APACHE BUSINESS COMMITTEE
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Vacant - Committee Member
Silvia Azepermy - Asst. Tribal Administrator
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Resolution of the Apache Business Committee Approving the execution of a Development Agreement with FSS Development Company, L.L.C. for the development of a gaming facility for the Apache Tribe of Oklahoma on Apache Indian lands held in trust by the United States of America

RESOLUTION NO. ABC 12-20-2010-01

- WHEREAS:** The Apache Tribe of Oklahoma is a federally-recognized Indian Tribe, organized pursuant to the Thomas-Rogers Oklahoma Indian Welfare Act, and has a Constitution approved by the Secretary of Interior; and
- WHEREAS:** The Business Committee has the power to transact business and otherwise speak or act on behalf of the Tribe in all matters on which the Tribe is empowered to act pursuant to Article V of the Tribal Constitution; and
- WHEREAS:** On December 4, 2010, a Special General Council meeting was convened to consider the development of a gaming facility on Apache Tribe of Oklahoma lands near the Oklahoma/Texas border to be called the Red River Project; and
- WHEREAS:** The Special General Council adopted a motion "to approve the Business Committee to move forward on the Red river Project in negotiations with an investor and the Stimulus Package to include the Contract Signing that is in the best interest of the Apache Tribe of Oklahoma; and
- WHEREAS:** The Business Committee has identified a certain parcel of real property, located in Cotton County, Oklahoma (the "Property"); and
- WHEREAS:** The Property is a public domain allotment, known as the Richard Kosope Allotment, Allotment Number: APA 3279-2; and
- WHEREAS:** The records of the Bureau of Indian Affairs, United States Department of the Interior demonstrate that all of the heirs of the original allottee, Richard Kosope, that presently own an undivided interest in the Property are enrolled members of the Tribe; and



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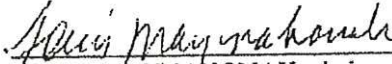
WHEREAS: the Tribe exercises jurisdiction and governmental power and control over the Property, and as such, the Property qualifies as "Indian Lands" within the scope and meaning of the Indian Gaming Regulatory Act of 1988 (the "IGRA"); and

WHEREAS: The Business Committee has determined that FSS Development Company, L.L.C. should be named as developer of the Red River Project and has negotiated a Development Agreement conferring upon FSS Development Company, L.L.C. the right to develop the Red River Project.

NOW, THEREFORE, BE IT RESOLVED, that the Business Committee of the Apache Tribe of Oklahoma authorizes Louis Maynahonah, Chairman to execute the attached Development Agreement with FSS Development Company, L.L.C. consistent with the directive issued to the Business Committee by the Apache Tribe General Council at a Special General Council held on December 4, 2010.

CERTIFICATION

The foregoing resolution was adopted at a duly called meeting of the Apache Business Committee on December 20, 2010, by a vote of 3 For; 0 Against; and 0 Abstaining, a quorum being present.


LOUIS MAYNAHONAH, chairman

ATTEST:


MARQUITA CARATTINI, Secretary/Treasurer

